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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/075,768	02/15/2002	Chaucer Chiu	P67614US0	9488
136	7590	04/01/2005	EXAMINER	
JACOBSON HOLMAN PLLC 400 SEVENTH STREET N.W. SUITE 600 WASHINGTON, DC 20004			PATEL, ASHOKKUMAR B	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 04/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/075,768

Applicant(s)

CHIU ET AL.

Examiner

Ashok B. Patel

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Application Number 10/075, 768 was filed on 02/15/2002. Claims 1-15 are subject to examination.

#### ***Claim Rejections - 35 USC § 112***

2. Where applicant acts as his or her own lexicographer to specifically define a term of a claim contrary to its ordinary meaning, the written description must clearly redefine the claim term and set forth the uncommon definition so as to put one reasonably skilled in the art on notice that the applicant intended to so redefine that claim term. *Process Control Corp. v. HydReclaim Corp.*, 190 F.3d 1350, 1357, 52 USPQ2d 1029, 1033 (Fed. Cir. 1999). The term "an access database" in claim 1 is used by the claim to mean "database that can be accessed", while the accepted meaning is "any database that can store multimedia data that is accessible." The term is indefinite because the specification does not clearly redefine the term.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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9. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coles (US 6, 181, 373 B1) in view of Eshelman et al. (hereinafter Eshelman)(US 6, 611, 206 B2)

**Referring to claims 1 and 2,**

The reference Coles teaches a real-time situation report system for linking a server host (Abstract, Fig. 1, elements 1-8) and electronic networking device through a network environment (Fig. 1, elements 9-15) to transmit a situation message to a user using a common transfer protocol (col. 2, lines 29-32), which server host (Fig. 1, elements 1-8) comprising:

a signal control module (Fig. 1, elements 5, 6 and 7) receiving an abnormal signal (col. 2, lines 15-19);

an I/O (input/output) unit connecting with the signal control module and the electronic networking device for transmitting the situation message (Fig. 1, element 8, (col. 2, lines 29-32);

an access database storing a situation report program and multimedia data (Fig. 1, element 5, col. 2, lines 24-28); and

a central processing module connecting with the I/O unit and the access database for transmitting and receiving data, messages and commands to and from the I/O unit and the access database. (Fig. 1, element 5).

The reference Coles fails to explicitly teach the electronic networking device networking device being a mobile electronic networking device, and wherein the mobile

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electronic networking device is selected from the group consisting of a mobile phone, a PDA (personal digital assistant), and a notebook computer.

The reference Eshelman teaches in col. 12, lines 22-27, "For example, an alarm signal may contain audio and/or video data preceding and following the event(s) that triggered the alarm status. These could be recorded by the output generator 415 and transmitted by email, streamed through a cell-phone connection or wireless multimedia device with video capability, or some other means."

Therefore, it would have been obvious for one having ordinary skill in the art at the time the invention was made to apply the means of Eshelman for streaming audio and/or video data through a cell-phone connection or wireless multimedia device with video capability in the receiving arial of Coles such that the situation messages can be transmitted to responsible party anywhere. It would haven obvious because the responsible party can be anywhere yet can be supplied with the situation message including text and loud noise, for example, as taught by the reference Eshelman.

**Referring to claim 3,**

The reference Coles teaches the system of claim 1, wherein the transfer protocol is selected from the group consisting of HTTP (hypertext transfer protocol), FTP (file transfer protocol), WAP (wireless application protocol), GPRS (general packet radio service, GSM (global system for mobile), W-CDMA (wideband code division multiple access), IR wireless transfer protocol, Bluetooth, IEEE802.11a Standards, IEEE802.11b Standards, wireless LAN (local area network). (col. 2, lines 29-32).

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**Referring to claim 4,**

The reference Coles teaches the system of claim 1, wherein the signal control module (Fig.1, elements 5, 6, 7) is further coupled to at least one sensor (Fig.1, element 3).

**Referring to claim 5,**

The reference Coles teaches the system of claim 4, wherein the sensor is selected from the group consisting of a camera, an answering machine, a smoke detector, and an IR sensor. (Fig.1, element 3).

**Referring to claim 6,**

The reference Coles teaches the system of claim 1, wherein the situation message comprises the abnormal signal and a physical position. (col. 2, lines 19-28).

**Referring to claim 7,**

The reference Coles teaches the system of claim 6, wherein the physical position refers to the location of the sensor. (col. 2, lines 19-42).

**Referring to claim 8,**

The reference Coles teaches the system of claim 1, wherein the abnormal signal refers to a message generated by a sensor when it senses an abnormal situation. (col. 2, lines 19-42).

**Referring to claim 9,**

The reference Coles teaches the system of claim 1, wherein the multimedia data refer to contents generated through combinations of texts, voices, pictures, and videos sensible by human beings in a digital form. (col. 2, lines 19-42).

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**Referring to claims 10 and 11,**

Claims 10 and 11 are claims to a real-time situation report method carried out by the real-time situation report system of claims 1 and 2. Therefore claims 10 and 11 are rejected for the reasons set forth for claims 1 and 2.

**Referring to claim 12,**

Claim 12 is claim to a real-time situation report method carried out by the real-time situation report system of claim 3. Therefore claim 12 is rejected for the reasons set forth for claim 3.

**Referring to claim 13,**

Claim 13 is claim to a real-time situation report method carried out by the real-time situation report system of claim 8. Therefore claim 13 is rejected for the reasons set forth for claim 8.

**Referring to claim 14,**

Claim 14 is claim to a real-time situation report method carried out by the real-time situation report system of claim 7. Therefore claim 14 is rejected for the reasons set forth for claim 7.

**Referring to claim 15,**

Claim 15 is claim to a real-time situation report method carried out by the real-time situation report system of claim 9. Therefore claim 15 is rejected for the reasons set forth for claim 9.

***Conclusion***

**Examiner's note:** Examiner has cited particular columns and line numbers in the

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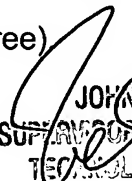
references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (571) 272-3972. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)

  
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